

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LEE CARTER,

Plaintiff,

VS.

THE ORCHARD,

Defendant.

§
§
§
§
§
§
§
§
§

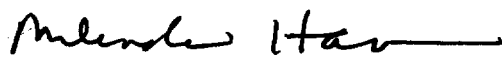
CIVIL ACTION H-10-1496

ORDER OF DISMISSAL

United States Magistrate Judge Frances Stacy has brought to the attention of the Court that neither *pro se* Plaintiff Lee Carter, proceeding *in forma pauperis*, nor Defendant The Orchard has appeared for conferences set on April 6, 2011 and on August 25, 2011 and has recommended dismissal of this action. After reviewing the record the Court agrees that dismissal is appropriate. Accordingly the Court

ORDERS that this case is DISMISSED without prejudice for failure to prosecute and failure to comply with Court orders.

SIGNED at Houston, Texas, this th29 day of August, 2011.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE